

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION No. 1:15-CV-559**

THE CITY OF GREENSBORO, LEWIS A.
BRANDON III, JOYCE JOHNSON,
NELSON JOHNSON, RICHARD ALAN
KORITZ, SANDRA SELF KORITZ, AND
CHARLI MAE SYKES,

Plaintiffs,

v.

THE GUILFORD COUNTY BOARD OF
ELECTIONS,

Defendant.

**MOTION FOR PRELIMINARY
INJUNCTION
[ORAL ARGUMENT REQUESTED]**

NOW COME Plaintiffs the City of Greensboro (“City of Greensboro” or “City”) and Lewis A. Brandon III, Joyce Johnson, Nelson Johnson, Richard Alan Koritz, Sandra Self Koritz, and Charli Mae Sykes (collectively “Citizen Plaintiffs”), by and through counsel, and respectfully move this Court, pursuant to Rule 7(b) and Rule 65 of the Federal Rules of Civil Procedure and Local Rule 65.1, for entry of an Order granting a Preliminary Injunction. Plaintiffs show the Court as follows:

1. Plaintiffs seek to enjoin Defendant from relying on, enforcing, or conducting elections in the districts embodied in North Carolina Session Law 2015-138 (“the Greensboro Act”) and instead restore, for purposes of the 2015 municipal election in the City of Greensboro, the districts and at-large seats previously in place along with

the format and timetable of October primary elections and November elections and direct that candidate filing and election shall take place pursuant to that system.

2. To prevent the irreparable harm caused by the Greensboro Act, any such preliminary injunction must be in place before the filing period for Greensboro elections opens on **Monday, July 27, 2015**.

3. In support of this Motion, Plaintiffs are filing herewith a Brief in Support of Motion for Temporary Restraining Order; Brief in Support of Motion for Preliminary Injunction; the Declarations of Lewis Brandon III, Nancy Hoffman, Joyce Johnson, Yvonne Johnson, Richard Alan Koritz, Frederick G. McBride, and Charli Mae Sykes.

4. Plaintiffs request oral argument on this Motion for Preliminary Injunction.

5. As fully explained in Plaintiffs' Brief in Support of Temporary Restraining Order and Brief in Support of Preliminary Injunction, Plaintiffs will show (1) that they are likely to succeed on the merits of their claims, (2) that they are likely to suffer irreparable harm in the absence of preliminary relief, (3) that the balance of equities tips in their favor, and (4) that injunctive relief is in the public interest.

WHEREFORE Plaintiffs respectfully request that this Court grant their Motion for Preliminary Injunction enjoining Defendants from relying on, enforcing, or conducting elections in the districts embodied in Session Law 2015-138 and, instead, restore, for purposes of the 2015 municipal election in the City of Greensboro, the districts and at-large seats previously in place along with the format and timetable of October primary

elections and November elections and direct that candidate filing and election shall take place pursuant to the system as it existed prior to Session Law 2015-138.

Respectfully submitted this 13th day of July, 2015.

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and Charli Mae Sykes*

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day electronically filed the foregoing Motion for Preliminary Injunction in the above-titled action with the Clerk of the Court using the CM/ECF system, and served the document by mail and electronic mail to the following counsel who has accepted service on behalf of Defendant:

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Respectfully submitted this 13th day of July, 2015.

/s/ Jim W. Phillips, Jr. _____
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